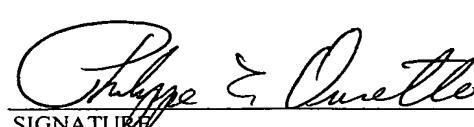


U. S. PATENT AND TRADEMARK OFFICE U. S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 21404P
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/556805
INTERNATIONAL APPLICATION NO. PCT/US2004/014642	INTERNATIONAL FILING DATE 10 May 2004	PRIORITY DATE CLAIMED 14 May 2003
TITLE OF INVENTION 3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE TREATMENT OR PREVENTION OF DIABETES		
APPLICANT(S) FOR DO/EO/US Tesfaye Biftu, Danqing Dennis Feng, Gui-Bai Liang, Xiaoxia Qian		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. a. <input type="checkbox"/> is attached hereto b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]. a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. Items 11 to 20 below concern other document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C.154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C.154(d)(4). 20. <input type="checkbox"/> Other items or information:		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER	
10/556805	PCT/US2004/014642	21404P	
The following fees are submitted:		CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee.....		\$300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....		\$0	
All other situations.....		\$200	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....		\$0	
Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....		\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$400	
All other situations.....		\$500	
		TOTAL OF 21, 22 and 23=	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		\$300.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	
66 - 100 =	0 /50	0 = 0	
		RATE	
		X \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	
Total Claims	24 - 20 =	4	
Independent Claims	1 - 3 =	0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00	
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)		= \$500.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].		+ \$500.00	
TOTAL NATIONAL FEE		= \$500.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		+ \$40.00	
TOTAL FEES ENCLOSED		= \$500.00	
		Amount to be refunded:	
		Amount to be charged:	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.			
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Customer No. 000210			
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970			
 SIGNATURE <u>Philippe L. Durette</u> NAME			
DATE: <u>November 14, 2005</u>			
PHONE #: <u>(732) 594-4568</u>			
35,125 REGISTRATION NUMBER			

JCS/Rec'd/POTATO 14 NOV 2005

10/556805

**Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING
A FILING UNDER 35 U.S.C. 371**

Serial No. PCT/2004/014642

Case Docket No.: 21404P

International Filing Date: 10 May 2004

Priority Date: 14 May 2003

Title: 3-AMINO-4-PHENYLBUTANOIC ACID DERIVATIVES
AS DIPEPTIDYL PEPTIDASE INHIBITORS FOR THE
TREATMENT OR PREVENTION OF DIABETES

Inventors: Tesfaye Biftu, Danqing Dennis Feng, Gui-Bai Liang, Xiaoxia Qian

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT November 14, 2005

EXPRESS MAIL NO. EV 660609104 US

**I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M.
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER OF PATENTS AND TRADEMARKS, BOX PCT,
WASHINGTON, D.C. 20231.**

MAILED BY Kathy Klutchnik **DATE** 11-14-05